

**In The United States District Court
For The Southern District of Texas
- Brownsville Division -**

UNITED STATES OF AMERICA

VS.

BENJAMIN LUCIO-ZAVALA

§
§
§
§
§

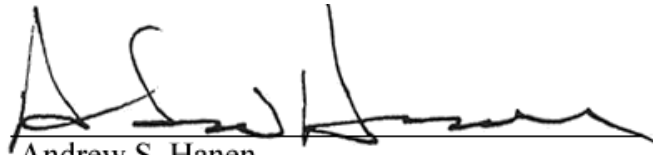
CRIMINAL NO. B-04-1015

ORDER

BE IT REMEMBERED on this 12th day of April, 2005, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed January 6, 2005, wherein the defendant Benjamin Lucio-Zavala waived appearance before this Court and appeared before the United States Magistrate Judge John Wm. Black for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocation. The Magistrate Judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Benjamin Lucio-Zavala to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted. The Court finds the defendant Benjamin Lucio-Zavala guilty of the offense of an alien unlawfully being present in the United States after having been convicted of an aggravated felony and deported, in violation of 8 U.S.C. §§ 1326(a) and 1326(b).

SIGNED this the 12th day of April, 2005.


Andrew S. Hanen
United States District Judge